REMARKS

I.   Formalities

Applicant thanks the Examiner for initialing and returning a copy of the PTO-1449 forms

submitted with the Information Disclosure Statements filed on February 7, 2005, on July 12,

2004, and July 25, 2003, respectively.

Applicant also thanks the Examiner for acknowledging Applicant's claim for foreign

priority and for confirming receipt of the certified copy of the priority documents submitted on

July 25, 2003.

However, the Examiner did not indicate whether the Formal Drawings filed on July 25,

2003 are accepted. Accordingly, Applicant respectfully requests that the Examiner acknowledge

and approve the aforementioned Formal Drawings.

II.   Objections to the Abstract and the Specification

The Examiner has objected to the Abstract and the Specification alleging various

informalities with respect to the use of trademarks. Applicant has amended the Abstract and

Specification, as set forth above, to correct the formalities regarding the use of a trademark.

Therefore, Applicant respectfully requests that the Examiner withdraw these objections.

III.   Claim Rejections under 35 U.S.C. § 112, 2nd Paragraph

The Examiner has rejected claims 1-24 under 35 U.S.C. § 112, second paragraph, as

allegedly being indefinite for failing to particularly point out and distinctly claim the subject

matter which applicant regards as the invention. In particular, with respect to claims 1-24, the Examiner alleges that the computer language "XML" is an evolving format standard and that, consequently, the claim limitations specifying XML are indefinite. Moreover, with respect to claims 10 and 24, the Examiner alleges that "MPEG-2" is a collection of evolving international standards and that, as a result, the claim limitations specifying MPEG-2 are also indefinite.

Applicant traverses the Examiner's rejections in this regard for *at least* the following reasons. First, Applicant submits that only claim 1 recites the terms "an extended Markup Language (XML)," and that only claims 10 and 24 recite the terms "wherein the unique data format is MPEG-2." Therefore, since claims 3-9 and 11-23 do not recite either "XML" or "MPEG-2," Applicant submits that the Examiner's rejections with respect to these claims are improper for *at least* these reasons.

Second, Applicant submits that, in explaining the appropriate test for indefiniteness, MPEP § 2173.02 specifies that the requirement to "distinctly" claim the subject matter which Applicant regards as the invention means that the claim must have a meaning discernible to one of ordinary skill in the art when construed according to correct principles. Moreover, MPEP § 2173.02 makes it clear that "[o]nly when a claim remains insolubly ambiguous without a discernible meaning after all reasonable attempts at construction must a court declare it indefinite." (MPEP §2173.02).

Applicant submits that the precise meaning of the terms "an extended Markup Language" and "MPEG-2" are readily discernable to one of ordinary skill in the art when construed in light of the present specification. Indeed, the terms "extended Markup Language" and "MPEG-2" are

commonly used in the art and have an unambiguous ordinary and accustomed meaning which would have been readily discernable to a skilled artisan at the time of the present invention.

As such, Applicant submits that the terms "extended Markup Language" and "MPEG-2" define the subject matter of the present invention with a reasonable degree of particularity and distinctness and, therefore, the Examiner's rejections are improper for *at least* these reasons. (*See* MPEP §2173.02).

Third, according to the MPEP, "the ordinary and customary meaning of a claim term is the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention" (emphasis added). (MPEP §2111.01). Therefore, Applicant submits that the terms "an extended Markup Language" and "MPEG-2" are to be construed according to the fixed meaning of these terms to a skilled artisan at the time of the present invention, and not according to subsequent evolutions of these standards.

In fact, at the time of the present invention, the terms "an extended Markup Language" and "MPEG-2" had an established and definite meaning to one of ordinary skill in the art. And, contrary to the allegations in the grounds of rejection, the fact that the meaning of the terms "an extended Markup Language" and "MPEG-2" may evolve subsequent to the time of the present invention, or may have previously evolved prior to the time of the present invention, are irrelevant to a proper analysis under 35 U.S.C. § 112, second paragraph. Therefore, since the terms "an extended Markup Language" and "MPEG-2" had an established and definite meaning to one of ordinary skill in the art at the time of the present invention, Applicant submits that the Examiner's rejections should be withdrawn.

Indeed, a quick search of the USPTO's database yields roughly 960 issued patents which specify the term "XML" in at least one of their claims and 2028 issued patents which specify the term "MPEG" in at least one of their claims. Accordingly, if the Examiner decides to persist in the current grounds of rejection, Applicant respectfully requests that the Examiner cite to some authority to support his position.

Therefore, Applicant respectfully submits that claims 1-24 satisfy the requirements of 35 U.S.C. § 112 for *at least* the reasons discussed above and, thus, respectfully requests that the Examiner withdraw these rejections.

IV. Claim Rejections Under 35 U.S.C. § 102

The Examiner has rejected claims 1-9 and 11-23 under 35 U.S.C. § 102 (b) as allegedly being anticipated by International Application PCT/US99/31023 to Dekel (hereinafter "Dekel"). Applicant respectfully traverses these rejections for *at least* the reasons set forth below.

A. Independent Claim 1

Independent claim 1 recites (among other things):

> ...expressing a user action to be selected and performed as a template that includes a component, wherein the user action is described in an extended Markup Language (XML) and the component comprises information regarding a plurality of input parameters used in the user action and a plurality of output parameters which are output as results of the user action...

The grounds of rejection allege that the movie template 40 for determining the style of the video movie, corresponds to "a template," as recited in claim 1. Applicant respectfully disagrees.

Claim 1 plainly requires that the recited template includes a component which comprises information regarding a plurality of input parameters used in the user action. That is, the "user action" recited in claim 1 deals with a plurality of video clips, for instance, as a plurality of inputs or a plurality of outputs of editing operations such as "SPLIT," "INSERT," "MERGE," or "TRANSFORM." (Figure 11; Paragraph 66).

However, in stark contrast to the recitations of claim 1, Dekel's movie template 40 only includes components such as "meta block," "style block," and the like. (*See* Figure 4). That is, Dekel's movie template 40 only includes components that are used to determine a <u>single</u> video clip. Since each of the components in Dekel's movie template 40 only determine a <u>single</u> video clip, the components in Dekel's movie template 40 cannot possibly comprise information regarding a <u>plurality</u> of input parameters used in the user action and a <u>plurality</u> of output parameters which are output as results of the user action, as recited in claim 1.

Thus, Applicant respectfully submits that independent claim 1 is not anticipated by (i.e. is not readable on) the applied Dekel reference for *at least* these independent reasons. Further, Applicant respectfully submits that the dependent claim 2 is allowable *at least* by virtue of its dependency on claim 1. As such, Applicant respectfully requests that the Examiner withdraw these rejections.

B.   Independent Claim 3

Independent claim 3 recites (among other things):

> ...expressing a user action to be selected and performed as a template that includes a component, wherein the user action is described in an extended Markup Language (XML) and the component comprises information regarding a plurality of input parameters used in the user action and a plurality of output parameters which are output as results of the user action...

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claim 3. As such, it is respectfully submitted that claim 3 is patentably distinguishable over the cited Dekel reference *at least* for reasons analogous to those presented above. Further, Applicant submits that the dependent claims 4-9 are allowable *at least* by virtue of their dependency on claim 3. Thus, the allowance of these claims is respectfully solicited of the Examiner.

C.   Independent Claim 11

Independent claim 11 recites (among other things):

> ...a user action input unit that receives a user action selected by a user from the initialized available user actions wherein each of the available user actions includes information regarding a plurality of input parameters used in the user action and a plurality of output parameters which are output as results of the user action...

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claim 11. As such, it is respectfully submitted that claim 11 is patentably distinguishable over the cited Dekel reference *at least* for reasons analogous to those presented above. Further, Applicant submits that the dependent claim 12 is allowable *at least* by virtue of its dependency on claim 11. Thus, the allowance of these claims is respectfully solicited of the Examiner.

D.   Independent Claim 13

Independent claim 13 recites (among other things):

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...presenting available user actions to a user
and providing a display for receiving a user
action selected by the user wherein each of the
available user actions includes information
regarding a plurality of input parameters used in
the user action and a plurality of output
parameters which are output as results of the
user action...
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In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claim 13. As such, it is respectfully submitted that claim 13 is patentably distinguishable over the cited Dekel reference *at least* for reasons analogous to those presented above. Further, Applicant submits that the dependent claims 14-16 are allowable *at least* by

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virtue of their dependency on claim 13. Thus, the allowance of these claims is respectfully

solicited of the Examiner.

D.   Independent Claim 17

Independent claim 17 recites (among other things):

> ...initializing a plurality of available user
> actions wherein each of the available user
> actions includes information regarding a
> plurality of input parameters used in the user
> action and a plurality of output parameters which
> are output as results of the user action...

In view of the similarity between these requirements and the requirements discussed

above with respect to independent claim 1, Applicant respectfully submits that arguments

analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate

the patentability of claim 17. As such, it is respectfully submitted that claim 17 is patentably

distinguishable over the cited Dekel reference *at least* for reasons analogous to those presented

above. Further, Applicant submits that the dependent claims 18-23 are allowable *at least* by

virtue of their dependency on claim 17. Thus, the allowance of these claims is respectfully

solicited of the Examiner.

V.   Claim Rejections Under 35 U.S.C. § 103

The Examiner has also rejected claims 10 and 24 under 35 U.S.C. § 103 as allegedly

being unpatentable over Dekel. Applicant respectfully traverses these rejections for *at least* the

reasons stated below.

Claims 10 and 24 incorporate all the novel and nonobvious recitations of their respective

base claims 3 and 17. For *at least* the reasons discussed above, the cited Dekel reference fails to

disclose or suggest all the recitations of claims 3 and 17. Therefore, Applicant submits that the

dependent claims 10 and 24 are patentable over the cited Dekel reference *at least* by virtue of

their dependency.

VI.   Conclusion

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC   Andrew J. Taska
Telephone: (202) 293-7060   Registration No. 54,666
Facsimile: (202) 293-7860

WASHINGTON OFFICE
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